

HOUSE BILL No. 1465

DIGEST OF INTRODUCED BILL

Citations Affected: IC 4-31-6; IC 4-33-8.6; IC 9-24-2-3; IC 9-25-6-19; IC 14-11-3-5; IC 20-6.1-3-7; IC 25-1-1.3; IC 27-1-15.5; IC 27-10-3; IC 31-14-15.5; IC 31-17-4.5.

Synopsis: License suspension for violating visitation orders. Allows the court to order the suspension of any license issued by the state to a custodial parent who violates a visitation order without justification. Permits the court to exercise this option only if previous efforts to enforce the visitation have been unsuccessful.

Effective: July 1, 2001.

Becker, Kuzman, Ayres

January 11, 2001, read first time and referred to Committee on Judiciary.

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First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

HOUSE BILL No. 1465

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 4-31-6-6.5 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 6.5. (a) The
3 commission shall deny:

4 (1) a license; or

5 (2) the renewal of a license;

6 issued under this chapter to a person who is the subject of an order
7 issued by a court under IC 31-14-12-6 or IC 31-16-12-9 (or
8 IC 31-1-11.5-13(l) or IC 31-6-6.1-16(l) before their repeal).

9 **(b) The commission shall deny:**

10 **(1) a license; or**

11 **(2) a renewal of a license;**

12 **issued under this chapter to a person who is the subject of an order**
13 **issued by a court under IC 31-14-15.5 or IC 31-17-4.5.**

14 SECTION 2. IC 4-31-6-10 IS AMENDED TO READ AS
15 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 10. (a) Upon receiving
16 an order of a court issued under ~~IC 13-14-12-6~~ **IC 31-14-12-6** or
17 IC 31-16-12-9 (or IC 31-1-11.5-13(l) or IC 31-6-6.1-16(l) before their



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repeal), the commission shall:

(1) suspend a license issued under this chapter to any person who is the subject of the order; and

(2) promptly mail a notice to the last known address of the person who is the subject of the order, stating the following:

(A) That the person's license is suspended beginning five (5) business days after the date the notice is mailed, and that the suspension will terminate not earlier than ten (10) business days after the commission receives an order allowing reinstatement from the court that issued the suspension order.

(B) That the person has the right to petition for reinstatement of a license issued under this chapter to the court that issued the order for suspension.

(b) **Upon receiving an order of a court issued under IC 31-14-15.5 or IC 31-17-4.5, the commission shall:**

(1) **suspend a license issued under this chapter to any person who is the subject of the court order; and**

(2) **promptly mail a notice to the last known address of the person who is the subject of the court order, stating the following:**

(A) **That the person's license is suspended beginning five (5) business days after the date the notice is mailed, and that the suspension will terminate not earlier than ten (10) business days after the commission receives an order allowing reinstatement from the court that issued the suspension order.**

(B) **That the person has the right to petition for reinstatement of a license issued under this chapter to the court that issued the order for suspension.**

(c) **The commission shall not reinstate a license suspended under subsection (a) this section until the commission receives an order allowing reinstatement from the court that issued the order for suspension.**

SECTION 3. IC 4-33-8.6 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]:

Chapter 8.6. Suspension, Probation, and Denial of Licenses for Violation of Child Custody or Visitation Orders

Sec. 1. IC 4-33-11-1 does not apply to this chapter.

Sec. 2. (a) Upon receiving an order of a court issued under IC 31-14-15.5 or IC 31-17-4.5, the commission shall:

(1) **suspend a license issued under this article to a person who**

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1 is the subject of the court order; and

2 (2) promptly mail a notice to the last known address of the
3 person who is the subject of the court order, stating the
4 following:

5 (A) That the person's license is suspended beginning five
6 (5) business days after the date the notice is mailed, and
7 that the suspension will terminate not earlier than ten (10)
8 business days after the commission receives an order
9 allowing reinstatement from the court that issued the
10 suspension order.

11 (B) That the person has the right to petition for
12 reinstatement of a license issued under this chapter to the
13 court that issued the order for suspension.

14 (b) The commission shall not reinstate a license suspended
15 under subsection (a) until the commission receives an order
16 allowing reinstatement from the court that issued the order for
17 suspension.

18 SECTION 4. IC 9-24-2-3 IS AMENDED TO READ AS FOLLOWS
19 [EFFECTIVE JULY 1, 2001]: Sec. 3. (a) The bureau may not issue a
20 license or permit to the following individuals:

21 (1) An individual whose license issued under Indiana law to
22 operate a motor vehicle as an operator, a chauffeur, or a public
23 passenger chauffeur has been suspended, during the period for
24 which the license was suspended, or to an individual whose
25 license has been revoked, until the time the bureau is authorized
26 under Indiana law to issue the individual a new license.

27 (2) An individual whose learner's permit has been suspended or
28 revoked until the time the bureau is authorized under Indiana law
29 to issue the individual a new permit.

30 (3) An individual who, in the opinion of the bureau, is afflicted
31 with or suffering from a physical or mental disability or disease
32 that prevents the individual from exercising reasonable and
33 ordinary control over a motor vehicle while operating the vehicle
34 upon the public highways.

35 (4) An individual who is unable to understand highway warnings
36 or direction signs written in the English language.

37 (5) An individual who is required under this chapter to take an
38 examination unless the person successfully passes the
39 examination.

40 (6) An individual who is required under IC 9-25 to deposit proof
41 of financial responsibility and who has not deposited that proof.

42 (7) An individual when the bureau has good cause to believe that

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the operation of a motor vehicle on a public highway of Indiana by the individual would be inimical to public safety or welfare.

(8) An individual who is the subject of an order issued by:

(A) a court under IC 31-14-12-4 or IC 31-16-12-7 (or IC 31-1-11.5-13 or IC 31-6-6.1-16 before their repeal); ~~or~~

(B) the Title IV-D agency; **or**

(C) a court under IC 31-14-15.5 or IC 31-17-4.5;

ordering that a driving license or permit not be issued to the individual.

(b) An individual subject to epileptic seizures may not be denied a license under this section if the individual presents a statement from a licensed physician that the individual is under medication and is free from seizures while under medication.

SECTION 5. IC 9-25-6-19 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 19. (a) The bureau shall, upon receiving an order of a court issued under:

(1) IC 31-14-12-4 or IC 31-16-12-7 (or IC 31-1-11.5-13(j) or IC 31-6-6.1-16(j) before their repeal); **or**

(2) IC 31-14-15.5 or IC 31-17-4.5;

suspend the driving license or permit of the person who is the subject of the order.

(b) The bureau may not reinstate a driving license or permit suspended under this section until the bureau receives an order allowing reinstatement from the court that issued the order for suspension.

(c) Upon receiving an order for suspension under subsection (a), the bureau shall promptly mail a notice to the last known address of the person who is the subject of the order, stating the following:

(1) That the person's driving privileges are suspended, beginning five (5) business days after the date the notice is mailed, and that the suspension will terminate ten (10) business days after the bureau receives an order allowing reinstatement from the court that issued the suspension order.

(2) That the person has the right to petition for reinstatement of driving privileges to the court that issued the order for suspension.

(3) That the person may be granted a restricted driving permit under IC 9-24-15-6.7 if the person can prove that public transportation is unavailable for travel by the person:

(A) to and from the person's regular place of employment;

(B) in the course of the person's regular employment;

(C) to and from the person's place of worship; or

(D) to participate in visitation with the petitioner's children

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consistent with a court order granting visitation.

(d) Unless a person whose driving license or permit is suspended under this section has been issued a restricted driving permit under IC 9-24-15 as a result of a suspension under this section, a person who operates a motor vehicle in violation of the section commits a Class A infraction.

SECTION 6. IC 14-11-3-5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: **Sec. 5. (a) Upon receiving an order of a court issued under IC 31-14-15.5 or IC 31-17-4.5, the director shall:**

(1) suspend a license or permit issued under this title to a person who is the subject of the order; or

(2) deny the application of an applicant for a license or permit under this title who is the subject of the court order.

(b) Upon receiving an order of a court issued under IC 31-14-15.5 or IC 31-17-4.5, the director shall promptly mail a notice to the last known address of the person who is the subject of the court order, stating the following:

(1) That the person's license has been suspended, beginning five (5) business days after the date the notice is mailed, and that the suspension will terminate ten (10) business days after the director receives an order allowing reinstatement from the court that issued the suspension order.

(2) That the person has the right to petition for reinstatement of the person's license to the court that issued the order for suspension.

(c) The director may not reinstate a license suspended under this section until the director receives an order allowing reinstatement from the court that issued the order for suspension.

SECTION 7. IC 20-6.1-3-7, AS AMENDED BY P.L.37-2000, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: **Sec. 7. (a) On the written recommendation of the state superintendent, the board may revoke a license for:**

(1) immorality;

(2) misconduct in office;

(3) incompetency; or

(4) willful neglect of duty.

However, for each revocation the board shall comply with IC 4-21.5-3.

(b) The superintendent of a school corporation or equivalent authority for an accredited nonpublic school shall immediately notify the state superintendent when the person knows that a current or former licensed employee of the school corporation or accredited nonpublic

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1 school has been convicted of an offense listed in subsection (c).

2 (c) The board, after holding a hearing on the matter, shall
3 permanently revoke the license of a person who is known by the board
4 to have been convicted of any of the following offenses:

5 (1) Rape (IC 35-42-4-1), if the victim is less than eighteen (18)
6 years of age.

7 (2) Criminal deviate conduct (IC 35-42-4-2), if the victim is less
8 than eighteen (18) years of age.

9 (3) Child molesting (IC 35-42-4-3).

10 (4) Child exploitation (IC 35-42-4-4(b)).

11 (5) Vicarious sexual gratification (IC 35-42-4-5).

12 (6) Child solicitation (IC 35-42-4-6).

13 (7) Child seduction (IC 35-42-4-7).

14 (8) Sexual misconduct with a minor (IC 35-42-4-9).

15 (9) Incest (IC 35-46-1-3), if the victim is less than eighteen (18)
16 years of age.

17 (d) A license may be suspended by the state superintendent as
18 specified in IC 20-6.1-4-13.

19 (e) **Upon receiving an order of a court issued under**
20 **IC 31-14-12-6, IC 31-16-12-9, IC 31-14-15.5, or IC 31-17-4.5, the**
21 **board shall:**

22 (1) **suspend a license issued under this chapter to any person**
23 **who is the subject of the court order; and**

24 (2) **promptly mail a notice to the last known address of the**
25 **person who is the subject of the court order, stating the**
26 **following:**

27 (A) **That the person's license is suspended beginning five**
28 **(5) business days after the date the notice is mailed, and**
29 **that the suspension will terminate not earlier than ten (10)**
30 **business days after the commission receives an order**
31 **allowing reinstatement from the court that issued the**
32 **suspension order.**

33 (B) **That the person has the right to petition for**
34 **reinstatement of a license issued under this chapter to the**
35 **court that issued the order for suspension.**

36 (f) **The board shall not reinstate a license suspended under**
37 **subsection (e) until the board receives an order allowing**
38 **reinstatement from the court that issued the order for suspension.**

39 SECTION 8. IC 25-1-1.3 IS ADDED TO THE INDIANA CODE
40 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
41 JULY 1, 2001]:

42 **Chapter 1.3. Violation of Child Custody or Visitation Orders**



1 **Sec. 1. (a) Upon receiving an order of a court issued under**
 2 **IC 31-14-15.5 or IC 31-17-4.5, the board shall:**

3 **(1) suspend a license or permit issued under this title to a**
 4 **practitioner who is the subject of the order; or**

5 **(2) deny the application of an applicant for a license or permit**
 6 **under this title who is the subject of the order.**

7 **(b) Upon receiving an order of a court issued under**
 8 **IC 31-14-15.5 or IC 31-17-4.5, the board shall promptly mail a**
 9 **notice to the last known address of the person who is the subject of**
 10 **the order, stating the following:**

11 **(1) That the practitioner's license has been suspended,**
 12 **beginning five (5) business days after the date the notice is**
 13 **mailed, and that the suspension will terminate ten (10)**
 14 **business days after the board receives an order allowing**
 15 **reinstatement from the court that issued the suspension order.**

16 **(2) That the practitioner has the right to petition for**
 17 **reinstatement of the practitioner's license to the court that**
 18 **issued the order for suspension.**

19 **(c) The board may not reinstate a license suspended under this**
 20 **section until the board receives an order allowing reinstatement**
 21 **from the court that issued the order for suspension.**

22 SECTION 9. IC 27-1-15.5-8, AS AMENDED BY P.L.268-1999,
 23 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 24 JULY 1, 2001]: Sec. 8. (a) The commissioner may suspend, revoke,
 25 refuse to continue, renew, or issue any license issued under this
 26 chapter, or impose any of the disciplinary sanctions under subsection
 27 (f) if, after notice to the licensee and to the insurer represented and a
 28 hearing, the commissioner finds as to the licensee any one (1) or more
 29 of the following conditions:

30 (1) Any materially untrue statement in the license application.

31 (2) Any cause for which issuance of the license could have been
 32 refused had it then existed and been known to the commissioner
 33 at the time of issuance.

34 (3) Violation of or noncompliance with any insurance laws,
 35 violation of any provision of IC 28 concerning the sale of a life
 36 insurance policy or an annuity contract, or violation of any lawful
 37 rule, regulation, or order of the commissioner or of a
 38 commissioner of another state.

39 (4) Obtaining or attempting to obtain any such license through
 40 misrepresentation or fraud.

41 (5) Improperly withholding, misappropriating, or converting to
 42 the licensee's own use any money belonging to policyholders,

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insurers, beneficiaries, or others received in the course of the licensee's insurance business.

(6) Misrepresentation of the terms of any actual or proposed insurance contract.

(7) A:

(A) conviction of; or

(B) plea of guilty, no contest, or nolo contendere to; a felony or misdemeanor involving moral turpitude.

(8) The licensee has been found guilty of any unfair trade practice or of fraud.

(9) In the conduct of the licensee's affairs under the license, the licensee has used fraudulent, coercive, or dishonest practices, or has shown himself to be incompetent, untrustworthy, or financially irresponsible, or not performing in the best interests of the insuring public.

(10) The licensee's license has been suspended or revoked in any state, province, district, or territory.

(11) The licensee has forged another's name to an application for insurance.

(12) An applicant has been found to have been cheating on an examination for an insurance license.

(13) The applicant or licensee is on the most recent tax warrant list supplied to the commissioner by the department of state revenue.

(14) The licensee has failed to satisfy the continuing education requirements under section 7.1 of this chapter.

(15) The licensee has violated section 24 of this chapter.

(b) The commissioner shall refuse to:

(1) issue a license; or

(2) renew a license issued;

under this chapter to any person who is the subject of an order issued by a court under IC 31-14-12-7, ~~or~~ IC 31-16-12-10, **IC 31-14-15.5, or IC 31-17-4.5** (or IC 31-1-11.5-13(m) or IC 31-6-6.1-16(m) before their repeal).

(c) In the event that the action by the commissioner is to not renew or to deny an application for a license, the commissioner shall notify the applicant or licensee and advise, in writing, the applicant or licensee of the reasons for the denial or nonrenewal of the applicant's or licensee's license. Not later than sixty (60) days after receiving a notice from the commissioner under this subsection, the applicant or licensee may make written demand upon the commissioner for a hearing to determine the reasonableness of the commissioner's action.

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Such hearing shall be held within thirty (30) days from the date of receipt of the written demand of the applicant.

(d) The license of a corporation may be suspended, revoked, or refused if the commissioner finds, after hearing, that an individual licensee's violation was known or should have been known by one (1) or more of the officers or managers acting on behalf of the corporation and such violation was not reported to the insurance department nor corrective action taken in relation to the violation.

(e) In addition to or in lieu of any applicable denial, suspension, or revocation of a license, any person violating this chapter may, after hearing, be subject to a civil penalty of not less than fifty dollars (\$50) nor more than ten thousand dollars (\$10,000). Such a penalty may be enforced in the same manner as civil judgments.

(f) The commissioner may impose any of the following sanctions, singly or in combination, when the commissioner finds that a licensee is guilty of any offense under subsection (a):

(1) Permanently revoke (as defined in subsection (i)) a licensee's certificate.

(2) Revoke a licensee's certificate with a stipulation that the licensee may not reapply for a certificate for a period fixed by the commissioner. The fixed period may not exceed ten (10) years.

(3) Suspend a licensee's certificate.

(4) Censure a licensee.

(5) Issue a letter of reprimand.

(6) Place a licensee on probation status and require the licensee to:

(A) report regularly to the commissioner upon the matters that are the basis of probation;

(B) limit practice to those areas prescribed by the commissioner; or

(C) continue or renew professional education under a licensee approved by the commissioner until a satisfactory degree of skill has been attained in those areas that are the basis of the probation.

The commissioner may withdraw the probation if the commissioner finds that the deficiency that required disciplinary action has been remedied.

(g) The commissioner may order the licensee to make restitution if the commissioner finds that the licensee has violated:

(1) subsection (a)(5);

(2) subsection (a)(8);

(3) subsection (a)(9); or

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(4) section 24 of this chapter.

(h) The insurance commissioner shall notify the securities commissioner when an administrative action or civil proceeding is filed under this section and when an order is issued under this section denying, suspending, or revoking a license.

(i) For purposes of subsection (f), "permanently revoke" means that the licensee's certificate shall never be reinstated and the licensee shall not be eligible to submit an application for a certificate to the department.

SECTION 10. IC 27-1-15.5-21 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 21. (a) Upon receiving an order of a court issued under IC 31-14-12-7, ~~or~~ IC 31-16-12-10, **IC 31-14-15.5, or IC 31-17-4.5** (or IC 31-1-11.5-13(m) or IC 31-6-6.1-16(m) before their repeal), the commissioner shall:

(1) suspend a license issued under this chapter to the person who is the subject of the order; and

(2) promptly mail a notice to the last known address of the person who is the subject of the order, stating the following:

(A) That the person's license is suspended beginning five (5) business days after the date the notice is mailed, and that the suspension will terminate not earlier than ten (10) business days after the commissioner receives an order allowing reinstatement from the court that issued the suspension order.

(B) That the person has the right to petition for reinstatement of a license issued under this chapter to the court that issued the order for suspension.

(b) The commissioner shall not reinstate a license suspended under subsection (a) until the commissioner receives an order allowing reinstatement from the court that issued the order for suspension.

SECTION 11. IC 27-10-3-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 8. (a) The commissioner shall deny, suspend, revoke, or refuse to renew any license issued under this article for any of the following causes:

(1) Any cause for which issuance of the license could have been refused had it then existed and been known to the commissioner.

(2) Violation of any laws of this state in the course of dealings under any license issued the licensee by the commissioner.

(3) Material misstatement, misrepresentation, or fraud in obtaining the license.

(4) Misappropriation, conversion, or unlawful withholding of money belonging to insurers or others and received in the conduct of business under any license issued to the licensee by the

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commissioner.

(5) Fraudulent or dishonest practices in the conduct of business under any license issued to the licensee by the commissioner.

(6) Willful failure to comply with or willful violation of any proper order or rule of the commissioner.

(7) When, in the judgment of the commissioner, the licensee has, in the conduct of affairs under the license, demonstrated:

(A) incompetency or untrustworthiness;

(B) conduct or practices rendering the licensee unfit to carry on the bail bond business or making the licensee's continuance in such business detrimental to the public interest;

(C) that the licensee is no longer in good faith carrying on the bail bond business; or

(D) that the licensee is guilty of rebating, or offering to rebate, or unlawfully dividing, or offering to divide, the licensee's commissions in the case of limited surety agents;

and for such reasons is found by the commissioner to be a source of detriment, injury, or loss to the public.

(8) The listing of the name of the applicant or licensee on the most recent tax warrant list supplied to the commissioner by the department of state revenue.

(b) The commissioner shall refuse to:

(1) issue a license; or

(2) renew a license issued;

under this chapter to a person who is the subject of an order issued by a court under IC 31-14-12-7, ~~or~~ IC 31-16-12-10, **IC 31-14-15.5, or IC 31-17-4.5** (or IC 31-1-11.5-13(m) or IC 31-6-6.1-16(m) before their repeal).

(c) The commissioner may also levy a civil penalty of not more than ten thousand dollars (\$10,000) for any of the causes listed in subsection

(a). Any civil penalty levied under this subsection may be enforced in the same manner as a civil judgment.

(d) When a person who holds a license under this chapter enters a plea of guilty to a disqualifying offense, the commissioner, immediately upon the court's acceptance of the plea, shall revoke the person's license. The commissioner shall revoke the license of any person who is convicted of a disqualifying offense immediately upon conviction. The pending of sentencing or the pending of an appeal of a conviction of a disqualifying offense does not stay the revocation of a license under this subsection. A person convicted of a felony is not eligible to reapply for a license until ten (10) years from the date of conviction or release from imprisonment, parole, or probation, whichever is later. A

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1 person convicted of a misdemeanor disqualifying offense is not eligible
 2 to reapply for a license until five (5) years from the date of conviction
 3 or release from imprisonment, parole, or probation, whichever is later.

4 SECTION 12. IC 27-10-3-19 IS AMENDED TO READ AS
 5 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 19. (a) Upon receiving
 6 an order of a court issued under IC 31-14-12-7, ~~or~~ IC 31-16-12-10,
 7 **IC 31-14-15.5, or IC 31-17-4.5** (or IC 31-1-11.5-13(m) or
 8 IC 31-6-6.1-16(m) before their repeal), the commissioner shall:

9 (1) suspend a license issued under this chapter to any person who
 10 is the subject of the order; and

11 (2) promptly mail a notice to the last known address of the person
 12 who is the subject of the order, stating the following:

13 (A) That the person's license is suspended beginning five (5)
 14 business days after the date the notice is mailed, and that the
 15 suspension will terminate not earlier than ten (10) business
 16 days after the commissioner receives an order allowing
 17 reinstatement from the court that issued the suspension order.

18 (B) That the person has the right to petition for reinstatement
 19 of a license issued under this chapter to the court that issued
 20 the order for suspension.

21 (b) The commissioner shall not reinstate a license suspended under
 22 subsection (a) until the commissioner receives an order allowing
 23 reinstatement from the court that issued the order for suspension.

24 SECTION 13. IC 31-14-15.5 IS ADDED TO THE INDIANA
 25 CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS
 26 [EFFECTIVE JULY 1, 2001]:

27 **Chapter 15.5. Suspension of Licenses for Violation of**
 28 **Temporary Restraining Orders or Permanent Injunctions**

29 **Sec. 1. This chapter applies to a custodial parent:**

30 (1) against whom a court has previously imposed at least one

31 (1) of the remedies under IC 31-14-15-4; and

32 (2) who is found by a court to have committed, without
 33 justification, an additional or continued violation of a
 34 temporary restraining order or permanent injunction issued
 35 under IC 31-14-15-2.

36 **Sec. 2. (a) If a custodial parent described in section 1 of this**
 37 **chapter holds a driving license or permit under IC 9, the court may**
 38 **issue an order to the bureau of motor vehicles to suspend the**
 39 **driving privileges of the custodial parent.**

40 **(b) If a custodial parent described in section 1 of this chapter**
 41 **does not hold a driving license or permit, the court may issue an**
 42 **order to the bureau of motor vehicles not to issue a driving license**

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1 or permit to the custodial parent.

2 Sec. 3. (a) If a custodial parent described in section 1 of this
3 chapter is a practitioner (as defined in IC 25-1-1.2-6), the court
4 may issue an order to the board regulating the practice of the
5 custodial parent's profession or occupation to suspend the
6 custodial parent's license, certificate, registration, or permit.

7 (b) If a custodial parent described in section 1 of this chapter is
8 an applicant (as defined in IC 25-1-1.2-1), the court may issue an
9 order to the board regulating the custodial parent's profession or
10 occupation to deny the custodial parent's application.

11 Sec. 4. (a) If a custodial parent described in section 1 of this
12 chapter is licensed to practice law, the court may issue an order to
13 the supreme court disciplinary commission to suspend the custodial
14 parent's license.

15 (b) If a custodial parent described in section 1 of this chapter is
16 an applicant for a license to practice law, the court may issue an
17 order to the supreme court disciplinary commission to deny the
18 custodial parent's application.

19 Sec. 5. (a) If a custodial parent described in section 1 of this
20 chapter is licensed to teach, the court may issue an order to the
21 professional standards board (established under IC 20-1-1.4) to
22 suspend the custodial parent's license.

23 (b) If a custodial parent described in section 1 of this chapter is
24 an applicant for a license to teach, the court may issue an order to
25 the professional standards board (established under IC 20-1-1.4)
26 to deny the custodial parent's application.

27 Sec. 6. (a) If a custodial parent described in section 1 of this
28 chapter holds a license issued under IC 4-31-6, the court may issue
29 an order to the Indiana horse racing commission to suspend the
30 custodial parent's license.

31 (b) If a custodial parent described in section 1 of this chapter is
32 an applicant for a license issued under IC 4-31-6, the court may
33 issue an order to the Indiana horse racing commission to deny the
34 custodial parent's application.

35 Sec. 7. (a) If a custodial parent described in section 1 of this
36 chapter holds a license issued under IC 4-33, the court may issue
37 an order to the Indiana gaming commission to suspend the
38 custodial parent's license.

39 (b) If a custodial parent described in section 1 of this chapter is
40 an applicant for a license issued under IC 4-33, the court may issue
41 an order to the Indiana gaming commission to deny the custodial
42 parent's application.

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1 **Sec. 8. (a)** If a custodial parent described in section 1 of this
 2 chapter holds a license issued under IC 27-1-15.5 or IC 27-10-3, the
 3 court may issue an order to the commissioner of the department of
 4 insurance to suspend the custodial parent's license.

5 **(b)** If a custodial parent described in section 1 of this chapter is
 6 an applicant for a license issued under IC 27-1-15.5 or IC 27-10-3,
 7 the court may issue an order to the commissioner of the
 8 department of insurance to deny the custodial parent's application.

9 **Sec. 9. (a)** If a custodial parent described in section 1 of this
 10 chapter holds a license under:

- 11 (1) IC 14-22-12 (fishing, hunting, and trapping licenses);
- 12 (2) IC 14-22-14 (Lake Michigan commercial fishing license);
- 13 (3) IC 14-22-16 (bait dealer's license);
- 14 (4) IC 14-22-17 (mussel license);
- 15 (5) IC 14-22-19 (fur buyer's license);
- 16 (6) IC 14-24-7 (nursery dealer's license); or
- 17 (7) IC 14-31-3 (ginseng dealer's license);

18 the court may issue an order to the department of natural
 19 resources to suspend the custodial parent's license.

20 **(b)** If a custodial parent described in section 1 of this chapter is
 21 an applicant for a license set forth in subsection (a), the court may
 22 issue an order to the department of natural resources to deny the
 23 custodial parent's application.

24 **Sec. 10.** An order issued under this chapter must contain the
 25 following information:

- 26 (1) The full name, date of birth, and Social Security number
 27 of the custodial parent.
- 28 (2) The applicable license, certificate, registration, or permit
 29 number of the custodial parent, if known.
- 30 (3) A statement that the court is ordering the suspension or
 31 denial of the custodial parent's license, certificate,
 32 registration, or permit due to a violation of a permanent
 33 injunction or temporary restraining order issued under
 34 IC 31-14-15-2.

35 **Sec. 11.** An order issued under this chapter remains in effect
 36 until further order of the court.

37 SECTION 14. IC 31-17-4.5 IS ADDED TO THE INDIANA CODE
 38 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
 39 JULY 1, 2001]:

40 **Chapter 4.5. Suspension of Licenses for Violation of Temporary**
 41 **Restraining Orders or Permanent Injunctions**

42 **Sec. 1.** This chapter applies to a custodial parent:



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- 1 (1) against whom a court has previously imposed at least one
 2 (1) of the remedies under IC 31-17-4-8; and
 3 (2) who is found by a court to have committed, without
 4 justification, an additional or continued violation of a
 5 temporary restraining order or permanent injunction issued
 6 under IC 31-17-4-5.

7 Sec. 2. (a) If a custodial parent described in section 1 of this
 8 chapter holds a driving license or permit under IC 9, the court may
 9 issue an order to the bureau of motor vehicles to suspend the
 10 driving privileges of the custodial parent.

11 (b) If a custodial parent described in section 1 of this chapter
 12 does not hold a driving license or permit, the court may issue an
 13 order to the bureau of motor vehicles not to issue a driving license
 14 or permit to the custodial parent.

15 Sec. 3. (a) If a custodial parent described in section 1 of this
 16 chapter is a practitioner (as defined in IC 25-1-1.2-6), the court
 17 may issue an order to the board regulating the practice of the
 18 custodial parent's profession or occupation to suspend the
 19 custodial parent's license, certificate, registration, or permit.

20 (b) If a custodial parent described in section 1 of this chapter is
 21 an applicant (as defined in IC 25-1-1.2-1), the court may issue an
 22 order to the board regulating the custodial parent's profession or
 23 occupation to deny the custodial parent's application.

24 Sec. 4. (a) If a custodial parent described in section 1 of this
 25 chapter is licensed to practice law, the court may issue an order to
 26 the supreme court disciplinary commission to suspend the custodial
 27 parent's license.

28 (b) If a custodial parent described in section 1 of this chapter is
 29 an applicant for a license to practice law, the court may issue an
 30 order to the supreme court disciplinary commission to deny the
 31 custodial parent's application.

32 Sec. 5. (a) If a custodial parent described in section 1 of this
 33 chapter is licensed to teach, the court may issue an order to the
 34 professional standards board (established under IC 20-1-1.4) to
 35 suspend the custodial parent's license.

36 (b) If a custodial parent described in section 1 of this chapter is
 37 an applicant for a license to teach, the court may issue an order to
 38 the professional standards board (established under IC 20-1-1.4)
 39 to deny the custodial parent's application.

40 Sec. 6. (a) If a custodial parent described in section 1 of this
 41 chapter holds a license issued under IC 4-31-6, the court may issue
 42 an order to the Indiana horse racing commission to suspend the

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1 custodial parent's license.

2 (b) If a custodial parent described in section 1 of this chapter is
3 an applicant for a license issued under IC 4-31-6, the court may
4 issue an order to the Indiana horse racing commission to deny the
5 custodial parent's application.

6 Sec. 7. (a) If a custodial parent described in section 1 of this
7 chapter holds a license issued under IC 4-33, the court may issue
8 an order to the Indiana gaming commission to suspend the
9 custodial parent's license.

10 (b) If a custodial parent described in section 1 of this chapter is
11 an applicant for a license issued under IC 4-33, the court may issue
12 an order to the Indiana gaming commission to deny the custodial
13 parent's application.

14 Sec. 8. (a) If a custodial parent described in section 1 of this
15 chapter holds a license issued under IC 27-1-15.5 or IC 27-10-3, the
16 court may issue an order to the commissioner of the department of
17 insurance to suspend the custodial parent's license.

18 (b) If a custodial parent described in section 1 of this chapter is
19 an applicant for a license issued under IC 27-1-15.5 or IC 27-10-3,
20 the court may issue an order to the commissioner of the
21 department of insurance to deny the custodial parent's application.

22 Sec. 9. (a) If a custodial parent described in section 1 of this
23 chapter holds a license under:

- 24 (1) IC 14-22-12 (fishing, hunting, and trapping licenses);
- 25 (2) IC 14-22-14 (Lake Michigan commercial fishing license);
- 26 (3) IC 14-22-16 (bait dealer's license);
- 27 (4) IC 14-22-17 (mussel license);
- 28 (5) IC 14-22-19 (fur buyer's license);
- 29 (6) IC 14-24-7 (nursery dealer's license); or
- 30 (7) IC 14-31-3 (ginseng dealer's license);

31 the court may issue an order to the department of natural
32 resources to suspend the custodial parent's license.

33 (b) If a custodial parent described in section 1 of this chapter is
34 an applicant for a license set forth in subsection (a), the court may
35 issue an order to the department of natural resources to deny the
36 custodial parent's application.

37 Sec. 10. An order issued under this chapter must contain the
38 following information:

- 39 (1) The full name, date of birth, and Social Security number
40 of the custodial parent.
- 41 (2) The applicable license, certificate, registration, or permit
42 number of the custodial parent, if known.

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1 **(3) A statement that the court is ordering the suspension or**
2 **denial of the custodial parent's license, certificate,**
3 **registration, or permit due to a violation of a temporary**
4 **restraining order or permanent injunction issued under**
5 **IC 31-17-4-5.**

6 **Sec. 11. An order issued under this chapter remains in effect**
7 **until further order of the court.**

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